

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 28, 2008

Mr. Matt Bowman, President
CES Environmental Services, Inc.
4904 Griggs Road
Houston, Texas 77021

Re: Transmittal of Class 1 Permit Modification
CES Environmental Services, Inc - Houston
Industrial Solid Waste Registration No. 30900
Industrial Solid Waste Permit No. 39048
WWC Nos. 12143047, 12149729, 12224342-1, 12234282-1
RN100693282/CN600618946

Dear Mr. Bowman:

The Texas Commission on Environmental Quality has reviewed your application for a Class 1 permit modification dated November 6, 2007, received November 7, 2007, and revised April 17, 2008. The modification requests to list in Table IV.B. of the permit, a hazardous waste stream which CES is currently authorized to manage under the waste water treatment unit exemption in 40 CFR 264.1 (g)(6), without a RCRA hazardous waste permit. This waste stream will only be managed in a tank which is part of the waste water treatment system that discharges to a Publicly Owned Treatment Works.

Our evaluation indicates that the information presented is sufficient for a Class 1 permit modification. Transmitted herewith is the modification which is now part of your permit and should be attached thereto. Please note that notice of this modification request must be made as per the requirements of Title 30 Texas Administrative Code Sections 39.403 and 305.69(b)(1)(B) within 90 days after the change is put into effect.

Questions regarding this modification should be directed to me at 512/239-5747. If responding by letter, please include Mail Code MC 130 in the mailing address.

Sincerely,

A handwritten signature in black ink, appearing to read "Vaishali Tendolkar".

Vaishali Tendolkar, Project Manager
Industrial & Hazardous Waste Permits Section
Waste Permits Division

VT/fp

Enclosure(s)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



CLASS 1 PERMIT MODIFICATION TO INDUSTRIAL SOLID WASTE PERMIT NO. 39048 CES ENVIRONMENTAL SERVICES, INC - HOUSTON, TEXAS

Permit No. 39048 is hereby modified as follows:

Sheet 5 of 20

Provision I.B.

INCORPORATED APPLICATION MATERIALS

This permit is based on, and the permittee shall follow the Industrial Solid Waste application submittals dated November 14, 2002, June 6, 2003, October 15, 2003, March 27, 2006 (Class 1 permit modification requesting a change in the description of the 6,500 gallon poly tank contained in the permit from "poly tank" to a "storage tank"), March 27, 2006 (Class 1 permit modification requesting to update the Waste Profile Sheet in the Waste Analysis Plan (WAP)) and November 6, 2007 (Class 1 Modification to list in Table IV.B. of the permit, a hazardous waste stream which CES is currently authorized to manage under the waste water treatment unit exemption in 40 CFR 264.1(g)(6) without a RCRA hazardous waste permit), and the Application Elements listed in "Attachment C", which are hereby approved subject to the terms of this permit and any other orders of the Texas Commission on Environmental Quality. These materials are incorporated into this permit by reference as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission.

Sheet 12 of 20

Provision III.E.3.

CONTINGENCY PLAN

Revise Provision III.E.3 to read as follows:

"Collected industrial hazardous wastes, industrial non-hazardous wastes, spills, leaks, clean-up residues,..."

Sheet 14 of 20

Provision IV.B.2. HAZARDOUS WASTE RECEIVED FROM OFF-SITE SOURCES

Revise Provision IV.B.2. to read as follows:

“The permittee may receive hazardous waste from off-site sources. All hazardous waste at the facility shall be managed only in the tank that is a part of the wastewater treatment system which discharges to a Publicly Owned Treatment Works (POTW) under the waste water treatment unit exemption in 40 CFR 264.1(g)(6).”

Sheet 17 of 20

Provision VII.A.8.

Revise Provision VII.A.8. to read as follows:

“All units, sumps, pumps, piping and any other equipment or ancillary components which have come in contact with hazardous or non-hazardous industrial wastes shall either be decontaminated by removing all waste, waste residues, and sludges or be disposed of at an authorized off-site facility.”

Sheet 18 of 20

Provision VII.B.1. FINANCIAL ASSURANCE FOR CLOSURE

Revise Provision VII.B.1. to read as follows:

“The permittee shall provide financial assurance for closure of all permitted units covered by this permit in an amount not less than \$135,335 (2007 dollars) as shown in Table VII.E.1. – Permitted Unit Closure Cost Summary...”

Table IV.B. WASTES MANAGED IN PERMITTED UNITS

Replace Table IV.B with the revised Table IV.B. (April 2008)

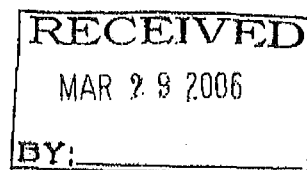
Add a supplement to Table IV.B. to list all the EPA hazardous waste numbers as part of Table IV.B.

TABLE VII.E.1. PERMITTED UNIT CLOSURE COST SUMMARY

Existing Unit Closure Cost Estimate (Not Applicable)	
Unit	Cost
Permitted Unit Nos. 1, 2, & 3 (Waste Management Unit Nos. 106, 107, & 108)	\$135,335 (2007 dollars)
TOTAL EXISTING UNIT CLOSURE COST ESTIMATE	\$135,335 (2007 dollars)

[illegible]

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2006

Mr. Matt Bowman, President
CES Environmental Services, Inc.
4904 Griggs Road
Houston, Texas 77021

7004 1350 0000 4763 5573

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Re: Transmittal of Class 1 Permit Modification
CES Environmental Services, Inc. - Houston
Industrial Solid Waste Registration No. 30900
Industrial Solid Waste Permit No. 39048
WWC No. 11241810-2; RN100693282; CN600618946

Dear Mr. Bowman:

The Texas Commission on Environmental Quality has reviewed your application for a Class 1 permit modification dated January 25, 2006, and received on January 31, 2006, requesting a change in the description of the 6,500 gallon poly tank contained in the permit application from a "poly tank" to a "storage tank".

Our evaluation indicates that the information presented is sufficient for a Class 1 permit modification. Transmitted herewith is the modification which is now part of your permit and should be attached thereto. Please note that notice of this modification request must be made as per the requirements of Title 30 Texas Administrative Code (TAC) Sections 39.403 and 305.69(b)(1)(B) within 90 days after the change is put into effect.

Questions regarding this modification should be directed to me at (512) 239-4788. If responding by letter, please include mail code MC-130 in the mailing address.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Project Manager
Industrial and Hazardous Waste Permits Section
Waste Permits Division

MDG/fp

Enclosure

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



CLASS 1 PERMIT MODIFICATION
TO
INDUSTRIAL SOLID WASTE PERMIT NO. 39048

CES Environmental Services, Inc.

Industrial Solid Waste Permit No. 39048 is hereby modified as follows:

Sheet 5 of 20

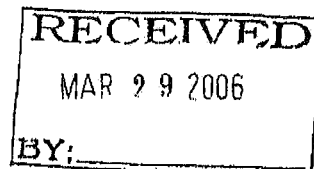
Provision I.B. Facility Description: Incorporated Application Materials

Add the following to the list application submittals:

"January 25, 2006 (Class 1 modification to change description of the 6,500 gallon poly tank, located within Permitted Unit #3, from a "poly tank" to a "storage tank".

This Class 1 Permit Modification is part of Permit No. 39048 and should be attached thereto.

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2006

Mr. Matt Bowman, President
CES Environmental Services, Inc.
4904 Griggs Road
Houston, Texas 77021

7004 1350 0000 4763 5566
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: Transmittal of Class 1 Permit Modification
CES Environmental Services, Inc. - Houston
Industrial Solid Waste Registration No. 30900
Industrial Solid Waste Permit No. 39048
WWC No. 11241810-2; RN100693282; CN600618946

Dear Mr. Bowman:

The Texas Commission on Environmental Quality has reviewed your application for a Class 1 permit modification dated January 25, 2006, and received on January 31, 2006, requesting to update the Waste Profile Sheet in the Waste Analysis Plan (WAP).

Our evaluation indicates that the information presented is sufficient for a Class 1 permit modification. Transmitted herewith is the modification which is now part of your permit and should be attached thereto. Please note that notice of this modification request must be made as per the requirements of Title 30 Texas Administrative Code (TAC) Sections 39.403 and 305.69(b)(1)(B) within 90 days after the change is put into effect.

Questions regarding this modification should be directed to me at (512) 239-4788. If responding by letter, please include mail code MC-130 in the mailing address.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Graeber".

Michael D. Graeber, P.E., Project Manager
Industrial and Hazardous Waste Permits Section
Waste Permits Division

MDG/fp

Enclosure

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



CLASS 1 PERMIT MODIFICATION
TO
INDUSTRIAL SOLID WASTE PERMIT NO. 39048

CES Environmental Services, Inc.

Industrial Solid Waste Permit No. 39048 is hereby modified as follows:

Sheet 5 of 20

Provision I.B. Facility Description: Incorporated Application Materials

Add the following to the list of application submittals:

"January 25, 2006 (Class 1 modification to update the Waste Profile Sheet in the Waste Analysis Plan)."

This Class 1 Permit Modification is part of Permit No. 39048 and should be attached thereto.



INDUSTRIAL SOLID WASTE PERMIT NO. 39048
ISWR NO. 30900

Texas Commission on
Environmental Quality
Austin, Texas

PERMIT FOR INDUSTRIAL SOLID
WASTE MANAGEMENT SITE issued
under provisions of TEXAS HEALTH
AND SAFETY CODE ANN.
Chapter 361 (Vernon)

Name of Permittee: CES Environmental Services, Inc.
4904 Griggs Road
Houston, Texas 77021

Site Owner: CES Environmental Services, Inc.
4904 Griggs Road
Houston, Texas 77021

Classification of Site: Industrial Nonhazardous Solid Waste Processing and Storage, Off-site, Commercial

The permittee is authorized to manage wastes in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules of the Commission and other Orders of the Commission, and laws of the State of Texas. This permit does not exempt the permittee from compliance with the Texas Clean Air Act. This permit will be valid until canceled, amended, modified or revoked by the Commission, except that the authorization to manage wastes shall expire midnight, 10 years after the date of permit approval.

ISSUED: JUL 27 2004

TCEQ-0080 (Rev. 10-09-03)


For The Commission

PERMIT TABLE OF CONTENTS

	Page
<u>PERMIT SECTION I. - FACILITY DESCRIPTION</u>	5
A. <u>SIZE AND LOCATION OF SITE</u>	5
B. <u>INCORPORATED APPLICATION MATERIALS</u>	5
<u>PERMIT SECTION II. - GENERAL FACILITY STANDARDS</u>	5
A. <u>STANDARD PERMIT CONDITIONS</u>	5
1. <u>Modification of Permitted Facilities</u>	5
2. <u>Duty to Comply</u>	5
3. <u>Severability</u>	6
4. <u>Definitions</u>	6
5. <u>Permit Expiration</u>	6
6. <u>Certification Requirements</u>	6
7. <u>Land Disposal Restrictions</u>	7
8. <u>Dust Suppression</u>	7
9. <u>Texas Coastal Management Program</u>	7
B. <u>RECORDKEEPING AND REPORTING REQUIREMENTS</u>	8
1. <u>Monitoring and Records</u>	8
2. <u>Operating Record</u>	8
3. <u>Retention of Application Data</u>	8
4. <u>Reporting of Noncompliance</u>	9
5. <u>Twenty-Four Hour Reporting</u>	9
6. <u>Notice Waiver</u>	10
7. <u>Biennial Report</u>	10
8. <u>Pollution Prevention</u>	10
9. <u>Waste Minimization</u>	10
10. <u>Annual Detection Monitoring Report</u>	10
11. <u>Manifest Discrepancy Report</u>	10
12. <u>Unmanifested Waste Report</u>	10
13. <u>Monthly Summary</u>	10
C. <u>INCORPORATED REGULATORY REQUIREMENTS</u>	11
1. <u>State Regulations</u>	11
2. <u>Federal Regulations</u>	11
<u>PERMIT SECTION III. - FACILITY MANAGEMENT</u>	11
A. <u>OPERATION OF FACILITY</u>	11
B. <u>PERSONNEL TRAINING</u>	12
C. <u>SECURITY</u>	12
D. <u>GENERAL INSPECTION REQUIREMENTS</u>	12
E. <u>CONTINGENCY PLAN</u>	12
F. <u>SPECIAL PERMIT CONDITIONS</u>	13

PERMIT TABLE OF CONTENTS (CON'D)

	Page
<u>PERMIT SECTION IV. - WASTES AND WASTE ANALYSIS</u>	13
A. <u>WASTE ANALYSIS PLAN</u>	13
B. <u>AUTHORIZED WASTES</u>	13
C. <u>SAMPLING AND ANALYTICAL METHODS</u>	14
<u>PERMIT SECTION V. - AUTHORIZED UNITS AND OPERATIONS</u>	15
A. <u>AUTHORIZED UNITS</u>	15
B. <u>CONTAINER STORAGE AREAS</u>	15
C. <u>TANKS AND TANK SYSTEMS</u>	16
D. <u>SURFACE IMPOUNDMENTS</u>	16
E. <u>WASTE PILES</u>	16
F. <u>LAND TREATMENT UNITS</u>	16
G. <u>LANDFILLS</u>	16
H. <u>INCINERATORS</u>	16
I. <u>BOILERS</u>	16
J. <u>DRIP PADS</u>	16
K. <u>MISCELLANEOUS UNITS</u>	16
L. <u>CONTAINMENT BUILDINGS</u>	16
<u>PERMIT SECTION VI. - GROUNDWATER DETECTION MONITORING</u>	16
<u>PERMIT SECTION VII. - CLOSURE AND POST-CLOSURE REQUIREMENTS</u>	16
A. <u>FACILITY CLOSURE</u>	16
B. <u>FINANCIAL ASSURANCE FOR CLOSURE</u>	18
C. <u>STORAGE, PROCESSING, AND COMBUSTION UNIT CLOSURE REQUIREMENTS</u>	19
D. <u>SURFACE IMPOUNDMENT CLOSURE REQUIREMENTS</u>	19
E. <u>LANDFILL CLOSURE AND CERTIFICATION REQUIREMENTS</u>	19
F. <u>CONTAINMENT BUILDINGS CLOSURE REQUIREMENTS</u>	19
G. <u>FACILITY POST-CLOSURE CARE REQUIREMENTS</u>	19
H. <u>POST-CLOSURE FINANCIAL ASSURANCE REQUIREMENTS</u>	19
<u>PERMIT SECTION VIII. - LIABILITY REQUIREMENTS</u>	19
A. <u>SUDDEN AND NONSUDDEN ACCIDENTIAL OCCURANCES</u>	19
B. <u>INCAPACITY OF OWNERS OR OPERATORS, GENERATORS, OR FINANCIAL INSTITUTIONS</u>	19
<u>PERMIT SECTION IX. - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS</u>	19
<u>PERMIT SECTION X. - AIR EMISSION STANDARDS</u>	20
A. <u>PROCESS VENTS AND EQUIPMENT LEAKS</u>	20

Industrial Solid Waste Permit No. 39048
Permittee: CES Environmental Services, Inc.

Continuation of Sheet 4 of 20

PERMIT TABLE OF CONTENTS (CON'D)

TABLES

TABLE IV.B.	WASTES MANAGED IN PERMITTED UNITS
TABLE V.B.	CONTAINER STORAGE AREAS
TABLE V.C.	TANKS AND TANK SYSTEMS
TABLE VILE.1.	PERMITTED UNIT CLOSURE COST SUMMARY

LIST OF ATTACHMENTS:

- ATTACHMENT A - Legal Description of Facility
- ATTACHMENT B - Facility Map
- ATTACHMENT C - List of Incorporated Application Materials
- ATTACHMENT D - List of Permitted Facility Units

PERMIT SECTION I. - FACILITY DESCRIPTION

A. SIZE AND LOCATION OF SITE

A permit is issued to CES Environmental Services, Inc. (hereinafter called the Permittee) to operate a nonhazardous industrial solid waste processing and storage facility located at 4904 Griggs Road on a 6.5 acre tract of land in Houston, Harris County, Texas, within the drainage area of Kuhlman Gully, Brays Bayou, and Buffalo Bayou in the San Jacinto-Brazos Basin (North Latitude 29° 41' 58.412", West Longitude 95° 20' 31.654"). The legal description of the facility submitted in the revised application for industrial solid waste permit No. 39048 (ISWP No. 39048), dated June 6, 2003, is hereby incorporated into this permit by reference as noted in "Attachment A". The industrial nonhazardous waste management facility as delineated by the permittee's application map is hereby made a part of this permit as "Attachment B".

B. INCORPORATED APPLICATION MATERIALS

This permit is based on, and the permittee shall follow the Nonhazardous Industrial Solid Waste application submittals dated November 14, 2002 and June 6 and October 15, 2003 and the Application Elements listed in "Attachment C", which are hereby approved subject to the terms of this permit and any other orders of the TCEQ. These materials are incorporated into this permit by reference as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission.

PERMIT SECTION II. - GENERAL FACILITY STANDARDS

A. STANDARD PERMIT CONDITIONS

The permittee has a duty to comply with the Standard Permit Conditions under 30 TAC Section 305.125. Moreover, the permittee has a duty to comply with the following permit conditions:

1. Modification of Permitted Facilities

The facility units and operational methods authorized are limited to those described herein and by the application submittals identified in Provision I.B. (Incorporated Application Materials). All facility units and operational methods are subject to the terms and conditions of this permit and TCEQ rules. Prior to constructing or operating any facility units in a manner which differs from either the related plans and specifications contained in the permit application or the limitations, terms or conditions of this permit, the permittee must comply with the TCEQ permit amendment/modification rules as provided in 30 TAC Sections 305.62 and 305.69.

2. Duty to Comply

[30 TAC Section 305.142] The permittee must comply with all the conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency order issued by the Commission. Any permit noncompliance other than noncompliance authorized by

[II.A.2.]

an emergency order is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

4. Definitions

For purposes of this permit, terms used herein shall have the same meaning as those in 30 TAC Chapters 305, 335, and 350 unless this permit specifically provides otherwise; where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

Application data - data used to complete the final application and any supplemental information.

5. Permit Expiration

In order to continue a permitted activity after the expiration date of the permit the permittee shall submit a new permit application at least 180 days before the expiration date of the effective permit, unless permission for a later date has been granted by the Executive Director. Authorization to continue such activity will terminate upon the effective denial of said application.

6. Certification Requirements

[30 TAC Section 305.144] For a new facility, the permittee may not commence storage, processing, or disposal of solid waste; and for a facility being modified, the permittee may not process, store or dispose of solid waste in the modified portion of the facility, except as provided in 30 TAC Section 305.69 (relating to Solid Waste Permit Modification at the Request of the Permittee) until the following has been accomplished:

- a. The permittee has submitted to the Executive Director and the local Regional Office of the TCEQ, by certified mail or hand delivery, a letter signed by the permittee, and signed and sealed by a Texas Licensed Professional Engineer stating that the facility has been constructed or modified in compliance with the permit. If the certification is being provided to document proper closure of a permitted unit, or to certify installation or repair of a tank system, then the certification must be signed and sealed by an independent Texas Licensed Professional Engineer. Required certification shall be in the following form:

[II.A.6.a.]

"This is to certify that the following activity (Specify activity, e.g., construction, installation, closure, etc., of an item) relating to the following item (Specify the item, e.g., the particular facility, facility unit, unit component, subcomponent part, or ancillary component), authorized or required by TCEQ ISWP No. 39048, has been completed, and that construction of said facility component has been performed in accordance with and in compliance with good engineering practices and the design and construction specifications of ISWP No. 39048".

- b. A certification report has been submitted, with the certification described in Provision II.A.6., which is logically organized and describes in detail the tests, inspections, and measurements performed, their results, and all other bases for the conclusion that the facility unit, unit component, and/or closure have been constructed, installed and/or performed in conformance with the design and construction specifications of this permit and in compliance with this permit. The report shall describe each activity as it relates to each facility unit or component being certified including reference to all applicable permit provisions. The report shall contain the following items, at a minimum:

- (1) Scaled, as-built plan-view and cross-sectional drawings which accurately depict the facility unit and all unit components and subcomponents and which demonstrate compliance with the design and construction specifications approved and detailed in the terms of this permit;
- (2) All necessary references to dimensions, elevations, slopes, construction materials, thickness and equipment; and
- (3) For all drawings and specifications, the date, signature, and seal of a Professional Engineer who is licensed in the State of Texas.

- c. The Executive Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or if within 15 days of submission of the letter required by paragraph (a) of this section, the permittee has not received notice from the Executive Director of the intent to inspect, prior inspection is waived and the permittee may commence processing, storage, or disposal of solid waste.

7. Land Disposal Restrictions (Not applicable)

8. Dust Suppression

Pursuant to 30 TAC Section 335.214(b), the permittee shall not use waste, used oil, or any other material which is contaminated with dioxin, polychlorinated biphenyls (PCBs), or any other hazardous waste (other than a waste identified solely on the basis of ignitability) for dust suppression or road treatment.

9. Texas Coastal Management Program (Not applicable)

[II.]

B. RECORDKEEPING AND REPORTING REQUIREMENTS

1. Monitoring and Records

- a. All data submitted to the TCEQ shall be in a manner consistent with the latest version of the Quality Assurance Project Plan for the Texas Commission on Environmental Quality for Environmental Monitoring and Measurement Activities Relating to the Resource Conservation and Recovery Act (TCEQ QAPP).
- b. [30 TAC Section 305.125(11)(A)] Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity. The method used to obtain a representative sample of the material to be analyzed shall be an appropriate method similar to those found in the Waste Analysis Plan in Provision I.B. (Incorporated Application Materials), or an equivalent method approved in writing prior to use by the Executive Director of the TCEQ. Laboratory methods shall be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods*, SWR-846, 1987, as revised; *Standard Methods for the Examination of Water and Wastewater*, Fifteenth Edition, 1908 and 1981 supplement, or current adopted edition; or an equivalent method approved in writing prior to use by the Executive Director of the TCEQ.
- c. [30 TAC Section 305.125(11)(B)] The permittee shall retain all records in an organized manner and furnish to the Executive Director, upon request, records of all monitoring information, copies of all reports and records required by this permit, for a period of at least 3 years from the date of the sample, measurement, report, record, certification, or application.

2. Operating Record

In addition to recordkeeping and reporting requirements specified elsewhere in this permit, the permittee shall maintain a written operating record at the facility. These records will be made available to representatives of the TCEQ upon request.

3. Retention of Application Data

[30 TAC Section 305.47] A permittee shall keep records throughout the term of the permit of data used to complete the final application and any supplemental information. All copies of renewals, amendments, revisions and modifications must also be kept at the facility such that the most current documents are available for inspection at all times. All materials, including any related information, submitted to complete the application shall be retained, not just those materials which have been incorporated into the permit.

[II.]

B. RECORDKEEPING AND REPORTING REQUIREMENTS

1. Monitoring and Records

- a. All data submitted to the TCEQ shall be in a manner consistent with the latest version of the Quality Assurance Project Plan for the Texas Commission on Environmental Quality for Environmental Monitoring and Measurement Activities Relating to the Resource Conservation and Recovery Act (TCEQ QAPP).
- b. [30 TAC Section 305.125(11)(A)] Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity. The method used to obtain a representative sample of the material to be analyzed shall be an appropriate method similar to those found in the Waste Analysis Plan in Provision I.B. (Incorporated Application Materials), or an equivalent method approved in writing prior to use by the Executive Director of the TCEQ. Laboratory methods shall be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods*, SWR-846, 1987, as revised; *Standard Methods for the Examination of Water and Wastewater*, Fifteenth Edition, 1908 and 1981 supplement, or current adopted edition; or an equivalent method approved in writing prior to use by the Executive Director of the TCEQ.
- c. [30 TAC Section 305.125(11)(B)] The permittee shall retain all records in an organized manner and furnish to the Executive Director, upon request, records of all monitoring information, copies of all reports and records required by this permit, for a period of at least 3 years from the date of the sample, measurement, report, record, certification, or application.

2. Operating Record

In addition to recordkeeping and reporting requirements specified elsewhere in this permit, the permittee shall maintain a written operating record at the facility. These records will be made available to representatives of the TCEQ upon request.

3. Retention of Application Data

[30 TAC Section 305.47] A permittee shall keep records throughout the term of the permit of data used to complete the final application and any supplemental information. All copies of renewals, amendments, revisions and modifications must also be kept at the facility such that the most current documents are available for inspection at all times. All materials, including any related information, submitted to complete the application shall be retained, not just those materials which have been incorporated into the permit.

[II.B.]

4. Reporting of Noncompliance

The permittee shall report to the Executive Director of the TCEQ information regarding any noncompliance which may endanger human health or the environment. [30 TAC Section 305.125(9)]

- a. Report of such information shall be provided orally within 24 hours from the time the permittee becomes aware of the noncompliance.
- b. A written submission of such information shall also be provided within five days of the time the permittee becomes aware of the noncompliance. The written submission shall contain the following:
 - (1) a description of the noncompliance and its cause;
 - (2) the potential danger to human health or safety, or the environment;
 - (3) the period of noncompliance, including exact dates and times;
 - (4) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
 - (5) steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance, and to mitigate its adverse effects.

5. Twenty-Four Hour Reporting

The following shall be included as information which must be reported orally within 24 hours pursuant to Title 30 TAC Section 305.125(9): [30 TAC Section 305.145]

- a. Information concerning release of any solid waste that may cause an endangerment to public drinking water supplies;
- b. Any information of a release or discharge of solid waste, or of a fire or explosion which could threaten the environment or human health or safety, outside the facility. The description of the occurrence and its cause shall include:
 - (1) name, address, and telephone number of the owner or operator;
 - (2) name, address, and telephone number of the facility;
 - (3) date, time, and type of incident;
 - (4) name and quantity of material(s) involved;

[II.B.5.]

- (5) the extent of injuries, if any;
- (6) an assessment of actual or potential hazards to the environment and human health or safety outside the facility, where this is applicable; and
- (7) estimated quantity and disposition of recovered material that resulted from the incident.

6. Notice Waiver

[30 TAC Section 305.145(b)] The Executive Director may waive the five-day written notice requirement specified in Provision II.B.4.b. (Reporting of Noncompliance) in favor of a written report submitted to the Commission within 15 days of the time the permittee becomes aware of the noncompliance or condition.

7. Biennial Report (Not Applicable)

8. Pollution Prevention (Not Applicable)

9. Waste Minimization (Not Applicable)

10. Annual Detection Monitoring Report (Not Applicable)

11. Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy. If not resolved in fifteen days, the permittee must submit a report, describing the incident, to the Executive Director, as per the requirements of 30 TAC Section 335.12(c)(2). A copy of the manifest must be included in the report.

12. Unmanifested Waste Report

A report must be submitted to the Executive Director within 15 days of receipt of unmanifested waste, as per the requirements of 30 TAC Section 335.15(3).

13. Monthly Summary

[30 TAC Section 335.15(2)] The permittee shall prepare a monthly report, of all manifests received during the month, summarizing the quantity, character, transporter identity, and the method of storage, processing, and disposal of each hazardous waste or Class 1 waste shipment received, itemized by manifest document number. This monthly summary report shall be submitted to the TCEQ Registration, Review, and Reporting Division on or before the 25th day of each month for waste received during the previous month.

[II.]

C. INCORPORATED REGULATORY REQUIREMENTS

1. State Regulations

The following TCEQ regulations are hereby made provisions and conditions of this permit. Issuance of this permit with incorporated rules in no way exempts the permittee from compliance with any other applicable state statute and/or Commission Rule.

- a. 30 TAC Chapter 37, Subchapter P: Financial Assurance for Hazardous and Nonhazardous Industrial Solid Waste Facilities;
- b. 30 TAC Chapter 305, Subchapter A: General Provisions;
- c. 30 TAC Chapter 305, Subchapter C: Application for Permit;
- d. 30 TAC Sections 305.61 - 305.69 (regarding amendments, renewals, transfers, corrections, revocation and suspension of permits);
- e. 30 TAC Sections 305.121 - 305.125 (regarding permit characteristics and conditions);
- f. 30 TAC Sections 305.127 - 305.129 (regarding permit conditions, signatories and variance procedures);
- g. 30 TAC Chapter 305, Subchapter G: Additional Conditions for Hazardous and Industrial Solid Waste Storage, Processing and Disposal Permits;
- h. 30 TAC Chapter 335, Subchapter A: Industrial Solid Waste and Municipal Hazardous Waste;
- i. 30 TAC Sections 335.153 - 335.155: (regarding reporting of emergency situations and additional reports required);
- j. 30 TAC Chapter 350: Texas Risk Reduction Program (TRRP).

2. Federal Regulations (Not Applicable)

PERMIT SECTION III. - FACILITY MANAGEMENT

A. OPERATION OF FACILITY

The permittee shall construct, maintain, and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of industrial waste constituents to air, soil, or surface water which could threaten human health or the environment. All equipment and structures used to manage industrial waste at the facility shall be maintained in proper operating condition.

[III.]

B. PERSONNEL TRAINING

The permittee shall ensure that all facility personnel involved with nonhazardous industrial waste management successfully complete a training program commensurate with the level of expertise required for the classification of the employee. The permittee shall maintain training documents and records, as required by Provision II.B.b. (Monitoring and Records).

C. SECURITY

1. The permittee shall provide and maintain an artificial or natural barrier which completely surrounds the active waste management portion(s) of the facility and shall have a means to control entry, at all times, through gates or other entrances to these same facility areas.
2. The permittee shall post warning signs at all points of access to the active waste management portion(s) of the facility and along the natural and/or artificial barriers in sufficient numbers to be seen from any approach to that (those) portion(s) of the facility. The signs shall be printed so that they may be clearly read from a distance of at least 25 feet, and shall state "Danger - Unauthorized Personnel Keep Out" in English.

D. GENERAL INSPECTION REQUIREMENTS

The permittee shall follow the inspection schedule contained in the permit application submittals identified in Provision I.B. (Incorporated Application Material). The permittee shall remedy any deterioration or malfunction discovered by an inspection. Records of inspection shall be kept, as required by Provision II.B.b. (Monitoring and Records). Any remedial actions taken in response to facility inspections and the date of the remediation shall be included in the inspection records.

E. CONTINGENCY PLAN

1. The permittee shall follow a Contingency Plan, to be developed within 180 days after issuance of this permit. Copies of this plan shall be available to all employees involved in waste management at the facility.
2. The permittee shall immediately initiate clean-up procedures for removal of any spilled industrial nonhazardous wastes and waste residues and shall take all steps necessary to prevent surface-water or groundwater contamination as a result of any spills.
3. Collected industrial nonhazardous wastes, spills, leaks, clean-up residues, and contaminated rainfall runoff, including contaminated stormwater from the drainage control system(s) associated with the permitted units, shall be removed promptly after the spillage and/or rainfall event in as timely a manner as is necessary to prevent overflow of the system by the following method(s):
 - a. Removal to an authorized industrial solid waste management facility or authorized off-site facility; or

[III.E.3.]

- b. Discharge in accordance with a wastewater discharge permit.
4. The permittee shall ensure that any equipment or vehicles which have come in contact with waste in the loading/unloading, storage, processing, and/or disposal areas have been decontaminated prior to their movement into designated uncontaminated areas of the site property. At a minimum, all contaminated equipment shall be externally decontaminated and contaminated vehicles shall have their undercarriages and tires or tracks decontaminated to remove all waste residues and to prevent contamination of uncontaminated areas. All wash water generated shall be collected and disposed of in accordance with Provision III.E.3.
5. Preparedness and Prevention
 - a. At a minimum, the permittee shall equip the facility with appropriate emergency equipment to be able to handle any emergency.
 - b. All sumps, pumps, fire- and spill-control equipment, decontamination equipment, and all other equipment and structures identified by the Contingency Plan shall be tested and maintained, as necessary, to assure its proper operation in time of emergency.
 - c. The permittee shall maintain access to communications or alarm systems.
 - d. A trained emergency coordinator shall be available at all times in case of an emergency and will have the responsibility for coordinating all emergency response measures. Emergency number(s) shall be posted in all waste management portions of the facility and all employees in those areas shall be trained in the location of those postings.

F. SPECIAL PERMIT CONDITIONS (Not Applicable)

PERMIT SECTION IV. - WASTES AND WASTE ANALYSIS

A. WASTE ANALYSIS PLAN

The permittee shall follow the Waste Analysis Plan, developed in the permit application and identified in Provision I.B. (Incorporated Application Material).

B. AUTHORIZED WASTES

1. The permittee is authorized to manage non-hazardous industrial solid wastes listed in Table IV.B. - Wastes Managed in Permitted Units, subject to the limitations provided herein.

Wastes authorized for storage and processing include those generated from off-site sources.

[IV.B.]

2. Hazardous Waste Received From Off-Site Sources

The permittee may not receive hazardous waste from off-site sources.

3. The wastes authorized in Table IV.B. shall not contain any of the following:

- a. Polychlorinated biphenyls (PCBs), as defined by the EPA in regulations issued pursuant to the Toxic Substances Control Act under Title 40 Code of Federal Regulations (CFR) Part 761, unless the permittee is compliant with the federal requirements for PCB storage as specified in 40 CFR Part 761;
- b. Radioactive wastes unless the permittee is authorized to store, process and dispose of these wastes in compliance with specific licensing and permitting requirements under Chapter 401 of the Texas Health and Safety Code and the rules of the Texas Commission on Environmental Quality or Texas Department of Health or Texas Railroad Commission, and/or any other rules of state or federal authorities;
- c. Explosive material, as defined by the Department of Transportation under 49 CFR Part 173;
- d. Dioxin-containing wastes, identified by EPA as F020, F021, F022, F023, F026, and F027 wastes in 40 CFR 261.31;
- e. Ignitable compressed gases;
- f. Municipal garbage; or
- g. Special Waste from Health-Care Related Facilities subject to 25 TAC Chapter 1 or 30 TAC Chapter 330.

4. Prior to accepting any additional wastes not authorized in Table IV.B., the permittee shall follow the permit amendment or modification requirements listed in 30 TAC Section 305.62 and 305.69.

C. SAMPLING AND ANALYTICAL METHODS

The permittee shall ensure that all waste analyses utilized for waste identification or verification have been performed in accordance with methods specified in the current editions of "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", (SW-846), ASTM or other methods accepted by the TCEQ. The permittee shall have a QA/QC program that is consistent with EPA SW 846 and the TCEQ RCRA QAPP.

PERMIT SECTION V. - AUTHORIZED UNITS AND OPERATIONS

A. AUTHORIZED UNITS

1. The permittee is authorized to operate the facility units listed in "Attachment D" for storage and processing subject to the limitations herein. All waste management activities not otherwise exempted from permitting under 30 TAC Section 335.2 shall be confined to the authorized facility units listed in "Attachment D". References hereinafter in this permit to "TCEQ ISW Permit Unit No. ____" shall be to the facility units listed in "Attachment D". All authorized units must be clearly identified as numbered in "Attachment D". These units must have signs indicating "TCEQ ISW PERMIT UNIT NO. ____".
2. The permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste must be separated and protected from sources of ignition or reaction including, but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions), and radiant heat. While ignitable or reactive waste is being handled, the permittee must confine smoking and open flame to specifically designated areas. "No Smoking" signs must be conspicuously placed wherever there is a hazard from ignitable or reactive waste.
3. The permittee shall prevent inundation of any permitted units and prevent any discharges of any waste or runoff of waste contaminated stormwater from permitted units. Additionally, each loading or unloading area, associated with a permitted hazardous or nonhazardous waste management unit, shall be provided with a drainage control system which will collect spills and precipitation in such a manner as to satisfy the following:
 - a. Preclude the release from the system of any collected spills, leaks or precipitation;
 - b. Minimize the amount of rainfall that is collected by the system; and
 - c. Prevent run-on into the system from other portions of the facility.
4. The permittee shall construct, operate, and maintain the facility to prevent washout of any waste by a 100-year flood, as specified below:

In the event of a 100-year flood, the permittee shall remove all waste, before flood waters can reach the facility, to a location where the wastes will not be vulnerable to the flood waters.

B. CONTAINER STORAGE AREAS

1. The permitted container storage areas are shown in Table V.B. - Container Storage Areas. The permittee is authorized to operate the facility container storage areas for storage and processing subject to the limitations contained herein.
2. The permittee shall construct and maintain the containment systems and buildings for the container storage areas in accordance with the drawings and details included in the Application in Provision I.B..

[V.]

C. TANKS AND TANK SYSTEMS

1. The permitted tank units and their approved waste types are shown in Table V.C.-Tanks and Tank Systems. The permittee is authorized to operate the permitted tank units for storage and processing subject to the limitations contained herein.
2. The permittee shall prevent spills and overflows from the tank, containment system, or building.

D. SURFACE IMPOUNDMENTS (Not Applicable)

E. WASTE PILES (Not Applicable)

F. LAND TREATMENT UNITS (Not Applicable)

G. LANDFILLS (Not Applicable)

H. INCINERATORS (Not Applicable)

I. BOILERS (Not Applicable)

J. DRIP PADS (Not Applicable)

K. MISCELLANEOUS UNITS (Not Applicable)

L. CONTAINMENT BUILDINGS (Not Applicable)

PERMIT SECTION VI.- GROUNDWATER DETECTION MONITORING (Not Applicable)

PERMIT SECTION VII. - CLOSURE AND POST-CLOSURE REQUIREMENTS

A. FACILITY CLOSURE

1. The permittee shall follow the closure plan contained in the permit application submittals identified in Provision I.B. (Incorporated Application Material) of this permit.

Additionally, facility closure shall also commence:

- a. Upon direction of the TCEQ for violation of the permit, TCEQ Rules, or State Statutes; or
- b. Upon suspension, cancellation, or revocation of the terms and conditions of this permit concerning the authorization to receive, store, process, or dispose of waste materials; or
- c. Upon abandonment of the site; or

[VII.A.1.]

- d. Upon direction of the TCEQ for failure to secure and maintain an adequate bond or other financial assurance as required by Provision VII.B.1.

2. Request for Permit Modification or Amendment

The permittee shall submit a written request for a permit modification or amendment to authorize a change in the approved Closure Plan. The written request shall include a copy of the amended Closure Plan for approval by the Executive Director.

3. Time Frames for Modification\Amendment Request Submittal (Not Applicable)

4. Closure Notice and Certification Requirements

- a. The permittee shall notify the Executive Director, in writing, at least 45 days prior to the date on which he expects to begin partial or final closure of a facility with processing or storage tanks, or container storage, whichever is earlier. A copy of the notice shall be submitted to the TCEQ Regional Office.
 - b. The permittee shall notify the TCEQ Regional Office at least ten (10) days prior to any closure sampling activity required by the permit in order to afford regional personnel the opportunity to observe these events and collect samples.
5. Unless the Executive Director approves an extension to the closure period, the permittee must complete partial and final closure activities within 180 days after receiving the final known volume of nonhazardous industrial wastes at the waste management unit or facility.
6. Within 60 days of the completion of final closure of the facility, the permittee shall submit to the Executive Director, by registered mail, with a copy to the TCEQ Regional Office, a certification that the nonhazardous industrial waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved Closure Plan and this permit. The certification, which shall be signed by the permittee and by an independent professional engineer licensed in Texas, must be in the form described in Provision II.A.6. A closure certification report shall be submitted with the required certifications which includes a summary of the activities conducted during closure and the results of all analyses performed. The certification report shall contain the information required by Provision II.A.6. The closure certification report shall be furnished to the Executive Director upon request until the Executive Director releases the permittee from the financial assurance requirements for closure.
7. Final closure is considered complete when all nonhazardous industrial waste management units at the facility have been closed in accordance with all applicable closure requirements so that hazardous waste management activities are no longer conducted at the facility.
8. All units, sumps, pumps, piping and any other equipment or ancillary components which have come in contact with nonhazardous industrial wastes shall either be decontaminated

[VII.A.8.]

by removing all waste, waste residues, and sludges or be disposed of at an authorized off-site facility.

9. All contaminated equipment/structures, liners, dikes, and soils (i.e., debris) intended for decontamination shall be decontaminated or removed and managed at an authorized industrial solid waste management facility.
10. All hard-surfaced areas within the waste management unit areas shall be decontaminated and the wash water generated treated and/or disposed at an authorized off-site facility.
11. Verification of decontamination shall be performed by analyzing wash water, and as necessary, soil samples for the hazardous constituents which have been in contact with the particular item being decontaminated. In addition, the permittee shall perform visual inspections of the equipment/structures for visible evidence of contamination.
12. Unless it can be demonstrated that soil contamination has not occurred, soils shall be sampled and analyzed. Sufficiently detailed analyses of samples representative of soils remaining in non-hard-surfaced areas of the storage and processing facility area shall be performed to verify removal or decontamination of all waste and waste residues.
13. Soil and/or wash-water samples shall be analyzed using laboratory methods specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods*, SW-846, 1987, as revised; *Standard Methods for the Examination of Water and Wastewater*, Fifteenth Edition, 1980, and 1981 supplement, or current adopted edition. Equivalent or modified methods, must be specified in the Closure Plan and have written approval of the Executive Director prior to use. All data submitted to the TCEQ shall be in a manner consistent with the latest version of the Quality Assurance Project Plan for the Texas Commission on Environmental Quality for Environmental Monitoring and Measurement Activities Relating to the Resource Conservation and Recovery Act (TCEQ QAPP).
14. Decontamination shall be deemed complete when no visible evidence of contamination is observed and when the results from verification sampling and analyses indicate wash water concentrations and/or soil concentrations are below the applicable critical Protective Concentration Level (PCL) for Remedy Standard A. If the underlying soils are decontaminated or removed to the PCL for Remedy Standard A, Commercial/Industrial Land use, the permittee shall comply with the institutional controls requirements of 30 TAC Section 350.111 as required.

B. FINANCIAL ASSURANCE FOR CLOSURE

1. The permittee shall provide financial assurance for closure of all permitted units covered by this permit in an amount not less than \$114,590.00 (2002 dollars) as shown on Table VII.E.1.- Permitted Unit Closure Cost Summary. Financial assurance shall be secured and maintained in compliance with 30 TAC Chapter 37, Subchapter P; and 30 TAC Section 335.7. Financial assurance is subject to the following:

[VII.B.1.]

a. Adjustments to Financial Assurance Amount:

The amount of financial assurance for closure of existing units, may be reduced by the amount listed in Table VII.E.1, upon certification of closure of an existing permitted unit, in accordance with Provision VII.A.4, (Closure Notice and Certification Requirements), and upon written approval of the Executive Director.

b. Annual Inflation Adjustments

Financial assurance for closure, including any adjustments after permit issuance, shall be corrected for inflation according to the methods described by 30 TAC §37.131 and §37.141.

2. The permittee shall submit to the Executive Director, upon request, such information as may be required to determine the adequacy of the financial assurance.

- C. STORAGE, PROCESSING, AND COMBUSTION UNIT CLOSURE REQUIREMENTS (Not Applicable)
- D. SURFACE IMPOUNDMENT CLOSURE REQUIREMENTS (Not Applicable)
- E. LANDFILL CLOSURE AND CERTIFICATION REQUIREMENTS (Not Applicable)
- F. CONTAINMENT BUILDINGS CLOSURE REQUIREMENTS (Not Applicable)
- G. FACILITY POST-CLOSURE CARE REQUIREMENTS (Not Applicable)
- H. POST-CLOSURE FINANCIAL ASSURANCE REQUIREMENTS (Not Applicable)

PERMIT SECTION VIII. - LIABILITY REQUIREMENTS

A. SUDDEN AND NONSUDDEN ACCIDENTAL OCCURRENCES

The permittee shall demonstrate continuous compliance with the requirements of 30 TAC Chapter 37, Subchapter P; and 30 TAC § 335.7 and to maintain liability coverage for sudden and accidental occurrences of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

B. INCAPACITY OF OWNERS OR OPERATORS, GENERATORS, OR FINANCIAL INSTITUTIONS

The permittee shall comply with 30 TAC §37.71, regarding bankruptcy, whenever necessary.

PERMIT SECTION IX. - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS
(Not Applicable)

PERMIT SECTION X. - AIR EMISSION STANDARDS

A. PROCESS VENTS AND EQUIPMENT LEAKS

Emissions from this facility must not cause or contribute to a condition of "air pollution" as defined in Section 382.003 of the Texas Health and Safety Code Ann. or violate Section 382.085 of the Texas Health and Safety Code Ann. If the Executive Director of the TCEQ determines that such a condition or violation occurs, the permittee shall implement additional abatement measures as necessary to control or prevent the condition or violation.

Table V.C. TANKS AND TANK SYSTEMS

Replace Table V.C. with the revised Table V.C. (April 2008)

Table VII.E.1. PERMITTED UNIT CLOSURE COST SUMMARY

Replace Table VII.E.1. with the revised Table VII.E.1. to reflect the new Total Closure Cost Estimate for existing units.

This Class 1 Permit Modification is part of Permit 39048 and should be attached thereto.

TABLE IV.B. WASTES MANAGED IN PERMITTED UNITS

WASTE MATERIAL	TYPE MATERIAL
Class 1 & 2 Nonhazardous Industrial Waste	Inorganic Liquids
Class 1 & 2 Nonhazardous Industrial Waste	Inorganic Solids
Class 1 & 2 Nonhazardous Industrial Waste	Inorganic Sludges
Class 1 & 2 Nonhazardous Industrial Waste	Organic Liquids
Class 1 & 2 Nonhazardous Industrial Waste	Organic Solids
Class 1 & 2 Nonhazardous Industrial Waste	Organic Sludges

TABLE V.B. CONTAINER STORAGE AREAS

<i>Unit No.</i>	<i>Container Storage Area</i>	<i>N.O.R. #</i>	<i>Rated Capacity</i>	<i>Dimensions</i>	<i>Containment Volume (including rainfall for unenclosed areas)</i>	<i>Unit will manage Ignitable,¹ Reactive,¹ or Incompatible² Waste (state all that apply)</i>
1	Waste Management Area #106		Volume equivalent of up to 500 55-gallon drums per day	50' x 70' within a 210' x 70' metal building	Not applicable	Liquid, Sludge, & Solid Class 1 & 2 nonhazardous industrial waste
2	Waste Management Area #107		Volume equivalent of up to 4 25 cubic yard roll-off boxes	122' x 70' within a 210' x 70' metal building	Not applicable	Liquid, Sludge, & Solid Class 1 & 2 nonhazardous industrial waste

¹Containers managing ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility's property line.

²Incompatible waste must be separated from other waste or materials stored nearby in other containers, piles, open tanks, or surface impoundments by means of a dike, berm, wall, or other device.

TABLE V.C TANKS AND TANK SYSTEMS

<i>Unit No.</i>	<i>Tank</i>	<i>N.O.R. #</i>	<i>Storage and/or Processing</i>	<i>Waste Materials</i>	<i>Rated Capacity</i>	<i>Dimensions</i>	<i>Containment Volume (including rainfall for unenclosed areas)</i>	<i>Unit will manage Ignitable, Reactive, or Incompatible Waste (state all that apply)</i>
3	Waste Management Area #108		Processing and/or storage	All wastes identified in Table IV.B.	Volume equivalent of up to 6500 gallons	38' x 70' area within a 210' x 70' metal building	Not applicable	Liquid, sludge, and solid class 1 & 2 nonhazardous industrial waste

Sheet 1 of 1

Existing Unit Closure Cost Estimate (Not Applicable)	
Unit	Cost
TOTAL EXISTING UNIT CLOSURE COST ESTIMATE	

[illegible]

Industrial Solid Waste Permit No. 39048
Permittee: CES Environmental Services, Inc.

Sheet 1 of 2

ATTACHMENT A
LEGAL DESCRIPTION OF FACILITY

LEGAL DESCRIPTION 6.294 ACRE TRACT
TRACT 2

BEING 6.294 ACRES (274,175 SQUARE FEET) OF LAND OUT OF THE WASHINGTON COUNTY RAILROAD COMPANY SURVEY SECTION 2, ABSTRACT 1020 IN THE CITY OF HOUSTON, HARRIS COUNTY, TEXAS AND BEING A PART OF THE CALLED 12.5273 ACRE TRACT RECORDED IN HARRIS COUNTY CLERKS FILE NUMBER T237280;

BEGINNING AT A 5/8 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF LOT 1, BLOCK 13 SOUTHERN VILLAGE, SECTION 2 AS RECORDED IN VOLUME 21, PAGE 23 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, SAID POINT ALSO BEING IN THE EAST RIGHT-OF-WAY LINE OF WAYLAND ROAD (80 FEET WIDE);

THENCE NORTH 19 DEGREES 42 MINUTES 37 SECONDS EAST, ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID WAYLAND ROAD A DISTANCE OF 951.78 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER, BEING THE SOUTHWEST CORNER OF A CALLED 15.00 SQUARE FEET TRACT RECORDED IN VOLUME 1355, PAGE 29 OF THE HARRIS COUNTY DEED RECORDS;

THENCE SOUTH 69 DEGREES 09 MINUTES 11 SECONDS EAST, ALONG THE SOUTHWEST LINE OF SAID 15,000 SQUARE FEET TRACT A DISTANCE OF 75.00 FEET TO A 3 INCH METAL FENCE POST FOUND FOR CORNER;

THENCE NORTH 20 DEGREES 18 MINUTES 54 SECONDS EAST, ALONG THE SOUTHEAST LINE OF SAID 15,000 SQUARE FEET TRACT A DISTANCE OF 200.24 FEET TO A FENCE POST FOR CORNER IN THE SOUTHWEST RIGHT-OF-WAY LINE OF GRIGGS ROAD;

THENCE SOUTH 70 DEGREES 38 MINUTES 50 SECONDS EAST, ALONG THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID GRIGGS ROAD A DISTANCE OF 172.82 FEET TO A 4 BY 4 FENCE POST FOR CORNER IN THE EAST LINE OF GRIGGS TERRACE ADDITION, AN UNRECORDED SUBDIVISION;

THENCE SOUTH 19 DEGREES 34 MINUTES 01 SECONDS WEST, ALONG THE WEST LINE OF SAID GRIGGS TERRACE ADDITION A DISTANCE OF 1152.08 FEET TO A 3/4 INCH IRON PIPE FOUND FOR CORNER, SAME BEING THE NORTHEAST CORNER OF LOT 3, BLOCK 13, SOUTHERN VILLAGE, SECTION 2;

THENCE NORTH 70 DEGREES 10 MINUTES 51 SECONDS WEST, ALONG THE NORTHEAST LINE OF SAID BLOCK 13, SOUTHERN VILLAGE A DISTANCE OF 252.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.294 ACRES (274,175 SQUARE FEET) OF LAND.

I, hereby certify that this survey was made in the ground and completed on this 26th day of January 2000 and that this plat correctly represents the facts found at the time of survey showing the improvements. There are no encroachments apparent on the ground, except as shown. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for Category 1A, Condition II Survey. This survey is certified for boundary only and for this transaction only. Surveyor did not abstract property. Easements, building lines, etc., shown are as identified by:

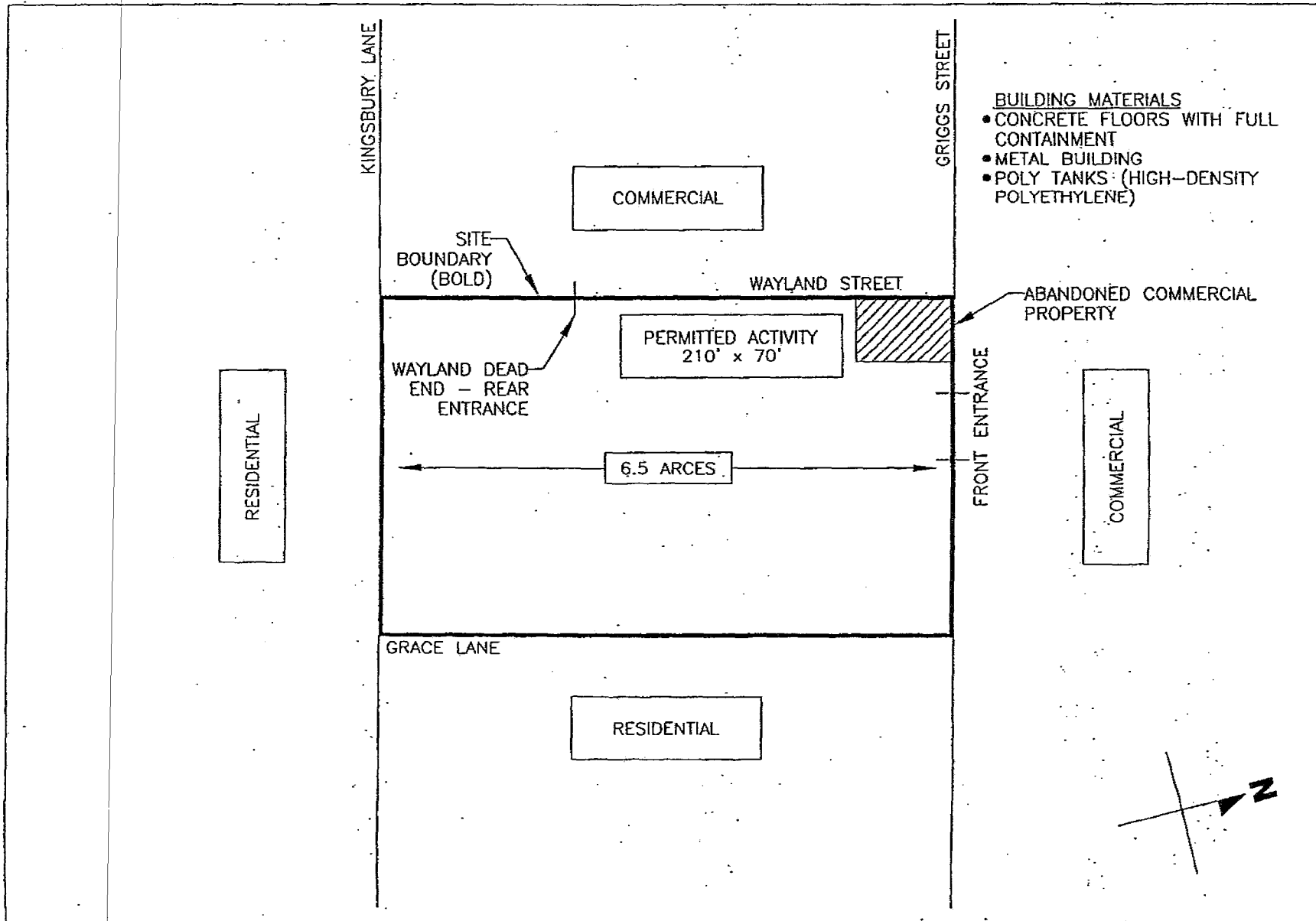
GP 99154426 of PARTNERS TITLE COMPANY

Fred W. Lawton, Registered Professional Land Surveyor No. 2321



ATTACHMENT B
FACILITY MAP

APPLICATION MAP



Industrial Solid Waste Permit No. 39048
 Permittee: CES Environmental Services, Inc.

ATTACHMENT C

List of Incorporated Application Materials

The following is a list of the Application for Permit to Store, Process, or Dispose of Nonhazardous Industrial Solid Waste elements which are incorporated into all Nonhazardous Industrial Solid Waste permits by reference as per Provision I.B.

TCEQ Application Form

1. Applicant Information
2. Authorized Agents
3. Responsible Party
4. Location of Application for Public Viewing
5. Type of Permit
6. Other Permit Information
7. Plant or Disposal Site Information
8. Process Water Discharge
9. Waste Management Unit Identification
10. Estimated Startup Date
11. Application Map
12. Property Ownership Information
13. Source of Property Ownership Information
14. List of Evidence of Non-Compliance
15. Core Data Form

TCEQ Technical Information

I. General Information

- Applicant
- Facility Location - Address
- Summary of description of Facility

II. Operations

- A. Security
- B. Inspection and Maintenance
- C. Personnel
- D. Equipment
- E. Record Keeping
- F. Roadway Information

III. Design

- A. Solid Waste to be Accepted
- B. Location
- C. Methods
- D. Engineering Design Report
 - 1., 2, & 3. (Not Applicable)
 - 4. Waste Management Units
 - 5. Ground & Surface Water Protection
 - 6. Closing
- E. Geology Information
- F. Climate Information

ATTACHMENT D

Authorized Facility Units

TCEQ Permit Unit No.	Unit Name	Unit Description	Capacity
1	Container Storage	50' x 70' area within a 210' x 70' metal building, Waste Management Area #106, used for storage of drums or other containers	Volume equivalent of up to 500 55-gallon drums per day
2	Container Storage	122' x 70' area within a 210' x 70' metal building, Waste Management Area #107, used for storage and processing of waste in roll-off boxes or other containers	Volume equivalent of up to four 25 cubic yard roll-off boxes
3	Processing Area	38' x 70' area within a 210' x 70' metal building, Waste Management Area #108, used for processing and storage of liquid waste	Volume equivalent of up to 6500 gallons